

REMARKS

This Amendment is being filed in connection with a Request for Continued Examination, and addresses the outstanding rejections in the March 27, 2006 office action. Claims 10 and 20 have been amended. Currently, Claims 10-22 are pending in the application.

As an initial matter, applicants express gratitude for the indication of allowable subject matter with regard to dependent Claims 18 and 19. As a result, independent Claim 21 was previously added to the application which includes the recitations of base Claim 10 and allowable Claim 18. Claim 22 recites the subject matter of Claim 19, and is dependent upon independent Claim 21. Accordingly, it is submitted that Claims 21 and 22 are allowable over the art of record. The Examiner had failed to address Claims 21 and 22 in the prior Office Action. As such, indication of allowability with respect to Claims 21 and 22 is respectfully requested.

Claims 10, 12, 13, 16, 17 and 20 stand rejected under 35 USC § 102(b) as being anticipated by U.S. Patent No. 4,887,945 to *Pano* ('945). Claims 11 and 14 stand rejected under 35 USC §103(a) as being unpatentable over *Pano*. Claim 15 stands rejected under 35 USC §103(a) as being unpatentable *Pano* ('945) in view of U.S. Patent No. 5,112,164 to *Pano* ('164).

A disclosed, nonlimiting embodiment of the invention pertains to a tool head and metal machining tool comprising a tool head with a cutting insert removably mounted therein. In particular, independent Claim 10 pertains to a tool head adapted to receive a cutting insert for chip removal machining. A basic holder includes an insert holder formed by a lower support part and an upper clamping portion which define therebetween an insert-receiving pocket. A slot extends through the basic holder at a location spaced from the

pocket wherein the clamping portion is joined to a remaining portion of the basic holder by a hinge portion about which the clamping portion is elastically displaceable toward the lower support part. A recess extends through the basic holder substantially parallel to the slot and in communication therewith. A nut roll is positioned within the recess. A clamping screw extends through the slot and into threaded engagement with the nut roll. The clamping screw includes a substantially conical head arranged to enter the slot and engage the upper clamping portion to expand the slot and elastically displace the clamping portion about the hinge portion and toward the support part.

Independent Claim 10 has been amended to include the feature that a longitudinal axis of the clamping screw is oriented perpendicularly to a longitudinal axis of the nut roll. None of the art of record disclose these patentable features.

In contrast, *Pano* ('945) describes a tool holder which includes an insert receiving pocket formed by a pair of clamping jaws. With reference to Figure 1, an open ended insert receiving pocket 6 is defined between upper and lower substantially parallel clamping surfaces 7 and 8 in a curved rear end surface 9. An elongated slot 12 opens into the longitudinal edge 2 of the holder blade 1, and is formed at its inner end with a circular, widened portion 14 and a circular widened portion 15. As shown in Figures 7 and 8, a tightening screw 25 is inserted into the widened portion 15 of the elongated slot 12 into a clamping element 21 which acts to clamp the insert 27. The clamping element 21 and the tightening screw 25 are oriented parallel to one another.

In contrast, the tool head, as defined in independent Claim 10, includes a clamping screw having a longitudinal axis which is oriented perpendicularly to a longitudinal axis of the nut roll. This allows the clamping screw to secure the insert more easily than the clamping screw and tool head of *Pano* ('945). For example, in *Pano* ('945), the clamping

screw is inserted from a side location, thereby forcing the user to come to a side location to ensure that clamping is accomplished. In contrast, the clamping screw of the present invention is oriented in such a manner that a user can readily clamp the insert from a top location, without requiring the user to come to a side location. As such, the clamping screw allows the insert to be clamped at a more accessible location. *Pano* ('945) does not disclose or recognize these patentable features. Accordingly, independent Claim 10 is patentable over the *Pano* ('945) reference.

Likewise, independent Claim 20 is directed to a metal machining tool which includes a tool head. Similar to the claim of independent Claim 10, Claim 20 has been amended to recite that a longitudinal axis of the clamping screw is oriented perpendicularly to a longitudinal axis of the nut roll. Accordingly, for the same reasons described in connection with independent Claim 10, Claim 20 is also believed to be allowable over the art of record.

For at least the foregoing reasons, it is submitted that the tool head and metal machining tool of independent Claims 10, 20, and 21, and the claims depending therefrom, are patentably distinguishable over the applied document. Accordingly, withdrawal of the rejections of record and allowance of this application are earnestly solicited.

Should any questions arise in connection with this application, or should the Examiner believe a telephone conference would be helpful in resolving any remaining issues pertaining to this application, the undersigned respectfully requests that she be contacted at the telephone number indicated below.

Respectfully Submitted,
DRINKER BIDDLE & REATH LLP

Date: July 18, 2006
DRINKER BIDDLE & REATH LLP
Customer No. 55694
1500 K Street, N.W., Suite 1100
Washington, D.C. 20005-1209
Tel. No.: 202-842-8800
EPS:mk

By: _____

Elaine P. Spector

Elaine P. Spector
Registration No. 40,116
Tel. No.: (202) 842-8863
Fax No.: (202) 842-8465